

Housing Discrimination & Your Civil Rights



A Fair Housing Guide for Renters & Home Buyers



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Discrimination can be stopped.

Every day, housing discrimination occurs in Washington State, and too often the victims of discrimination feel powerless to stop it. If you suspect that someone has treated you unfairly because of your race, color, the country you come from, or the language you speak, you should know about your rights. If you have searched for a home to rent or buy, and were turned away because you have children, because you have a disability or because you are gay, you should know that there are places to go for help.

The Fair Housing Partners of Washington State is a partnership of enforcement agencies and advocacy organizations. We are a resource if you have questions and concerns about your treatment in housing.

If you feel you are being treated unfairly, and suspect it is for discriminatory reasons, learn about your rights under the law. Find out how to protect yourself and your family.

This fair housing guide outlines your protections under the state and local anti-discrimination laws and provides information about steps you can take to stop discrimination.



There are several ways to deal with discrimination. We can help you find the one that works best for you. We answer questions by phone or appointment, provide free fair housing training, and publish useful materials about your civil rights. All our services are free of charge and confidential. Interpreters are provided as needed.



Information available in alternate formats. Call 206-296-7592, TTY 206-296-7596.

What is housing discrimination?

If you are trying to rent or buy a home in Washington state, housing discrimination may be occurring if you are treated differently from others because of your:

- race
- color
- national origin
- religion/creed
- family/parental status
- disability
- use of a service animal
- marital status
- sex

Fair housing laws make it illegal for landlords, managers, home owners, real estate agents, mortgage brokers, lenders and others to discriminate against anyone on the basis of these characteristics, which are called “protected classes.”

The local agency in your area may have additional protections on the basis of your:

- age
- sexual orientation
- gender identity
- participation in Section 8 program
- political ideology
- veteran/military status
- ancestry

For a list of the civil rights agencies, see “Where can I go for help?” on page 24.



Who do fair housing laws protect?

If you believe you have experienced discrimination based on your protected class, contact your local agency.

Discrimination based on:	Examples of who is protected:
Race	People who are African American, Asian, Caucasian, Native American, etc.
Color	People who are black, white, brown, etc.
National Origin/Ancestry	Immigrants or refugees and/or people whose families were immigrants or refugees.
Religion/Creed	Muslims, Christians, Jews, Hindus, Atheists, people with strong principles/beliefs, etc.
Sex/Gender	Men or women
Disability	People who are deaf, blind, mobility-disabled, people with psychiatric disabilities, etc.
Use of a Service Animal	People with disabilities who use guide dogs or service animals (includes companion animals)
Family or Parental Status	Families with children under 18, including pregnant women, legal guardians, etc.
Marital Status	People who are married, single, divorced, separated, widowed, cohabiting, etc.
Age	Children and adults of all ages
Sexual Orientation	People who are gay, lesbian, bisexual, heterosexual, etc.
Gender Identity	People who are transsexuals, transgendered, transvestities, etc.
Section 8 Participation	Participants in the federal Section 8 Housing Choice Voucher program
Political Ideology	People with ideas or beliefs relating to any aspect of government, including political parties or groups
Veteran/Military Status	Honorably discharged veterans, active or reserve members in any branch of the U.S. armed forces

What are some examples of housing discrimination?

Preferential Advertising

A housing provider advertises available homes, using terms such as “adult community,” “no students accepted” or “Christians only.”

Misrepresenting the Availability of Housing

An Asian immigrant who has a noticeable accent calls in response to a rental ad. The property manager tells him that the house he wants to see is already taken. Later the immigrant learns the house is still available.

“Steering”

An African American couple looking for a new home is pressured by their real estate agent to purchase in an area where many African Americans live.

Refusal to Rent

A family tries to use its Section 8 voucher and is told that the apartment building has a “No Section 8” policy.

Unreasonable Occupancy Limits

An apartment manager tells a family that the two-bedroom unit they wish to rent is too small. He says that there is a policy that requires each child in the family to have a separate bedroom.

Exclusion of Children

A family is not allowed to rent a third floor apartment because “children are too noisy and will bother the tenants below.”

Refusal to Allow “Reasonable Modifications”

A tenant with a disability is not allowed to install grab bars in her bathroom, even though they make her apartment more accessible.

Racial Harassment

A landlord makes negative comments about a tenant’s race, friends and family, and issues unfair violation notices.

Sexual Harassment

A woman lives alone in an apartment complex, and the manager keeps making unwelcome sexual comments to her.

Refusal to Provide Services

A Muslim tenant requests repairs, but the landlord does not respond as promptly as he does for Christian tenants. Often, repairs for Muslim residents are not made at all.

Retaliation

After experiencing discrimination, a tenant asserts her fair housing rights by complaining to her apartment manager. The manager then raises her rent significantly.

Unfair Lending Practices

A Hispanic family applies for a home loan at a bank. Although they meet the financial qualifications, they are turned down. Qualified non-Hispanic applicants are not treated this way.



Discrimination isn’t always obvious, and sometimes what seems to be discrimination may not be. Keep in mind, we cannot determine if discrimination occurred until all the facts are carefully considered. If you believe you have experienced unfair treatment, call your local fair housing agency.

What housing is covered under anti-discrimination laws?

You have the right to equal treatment in housing regardless of where you live or seek to live. Civil rights laws apply to apartments, single-family homes, condominiums, motels, hotels and rooming houses. They also apply to “mother-in-law apartments” or accessory dwelling units. The property can be rented, leased or sold.

The law also prohibits discriminatory acts related to

- Mortgage lending by banks and other financial institutions
- Home construction and the sale of vacant lots
- Real estate services and transactions
- The availability of homeowner’s insurance
- Advertising regarding rental, sale or financing of homes
- Operation of government housing programs.



If you have a question or if you wish to file a complaint of discrimination, call your local fair housing agency. Contact information is on page 24. Our services are free of charge.

What is not discrimination?

Unfortunately, fair housing agencies can’t help you with all housing-related problems, just those concerning violations of your civil rights. Some treatment may be unfair, but not illegal under the laws we enforce. Here are some examples of negative treatment which may be legal:

Negative Treatment:	Explanation:
A landlord refuses to rent a two-bedroom apartment to a family of nine.	The refusal is legal if the family’s tenancy would violate reasonable occupancy limits.
A manager asks a tenant with a disability to remove a service animal that bit other residents.	The law allows landlords to exclude service animals that pose a direct threat to the health or safety of others.
A person who uses a wheelchair requests that accessibility modifications be made to his apartment, but the landlord refuses to pay for them.	In most cases, the law requires tenants, not landlords, to pay for accessibility improvements in a tenant’s living space.
A landlord issues a “notice to pay rent” when a tenant is just one day late with the rent.	If the landlord issues this kind of notice to everyone who is similarly late, the action is probably legal.
A Section 8 voucher holder is denied housing because he was evicted from a previous residence.	Landlords may consider tenant history as a qualification if they do so with every person who applies.

If you are not sure whether you have been discriminated against, your local fair housing agency may still be able to help. Sometimes treatment that appears to be legal actually isn’t. It is important to talk with expert staff to find out for sure. If we are not able to investigate your case, we will refer you to other organizations that may be able to assist you.

What can I do about discrimination?

You have several options for dealing with a discriminatory situation:

1. You can contact your local fair housing agency that can investigate your situation or help you reach a fair resolution of your case. See page 24 for a list of fair housing agencies.
2. You can hire a private attorney and sue for restitution and damages. Your local fair housing agency can refer you to Legal Aid and Lawyer Referral Service numbers.
3. You can contact one of our partner organizations that advocates for fair housing and provides fair housing education and training. See page 24 for contact information.
4. You can try to resolve the problem yourself by learning about your civil rights and asserting them to your landlord, manager, real estate agent, etc.

Whatever path you choose, your local fair housing agency will give you specific information to help you make an informed decision. We will also provide you with referrals to other organizations if appropriate.

What if I am retaliated against?

Don't be afraid to fight discrimination. The law protects you from any negative action that is taken against you for filing a complaint or for otherwise asserting your civil rights. If you believe you are being retaliated against, your local fair housing agency may be able to investigate the matter as a separate complaint. Some examples of possible retaliation include:

- A landlord changes the way she handles lease violations after you file a fair housing complaint. For example, you suddenly get parking violation notices on your car even though you have always parked in the same space.
- A landlord tries to evict you after you have been a witness in another tenant's fair housing complaint.

What do the fair housing agencies do?

- The fair housing enforcement agencies investigate and mediate cases of alleged discrimination in housing, employment and public accommodations (how businesses treat people).
- We enforce city, county, state and federal anti-discrimination laws.
- We provide free training and presentations to the public about legal rights and responsibilities.
- We publish and distribute educational materials about civil rights and our enforcement services.
- We provide free information and referral to the public for a variety of services.
- We develop anti-discriminatory programs and policies.
- The advocacy groups in the Fair Housing Partners of Washington State advocate for the fair housing rights of renters and home buyers.



What is the best way to protect myself if I experience discrimination?

Act Quickly:

If you wait too long, you may not be able to file a complaint. Most of the fair housing agencies can investigate cases of alleged discrimination that occur in the previous year (in Seattle, 180 days – six months). Also, the longer you wait, the harder it is to prove your case. Over time, witnesses may forget important details and essential documents may be lost.



Document Your Situation:

Keep detailed notes about every negative action taken against you. Write down exactly what was said and done, the dates, times and people involved. A complete list of the names, addresses and phone numbers of witnesses can also support your case if you file a discrimination complaint.

Keep Records:

Keep all documents related to your situation. These may include letters exchanged, voice mail messages, lease agreements, notices, rental or loan applications, and records of previous or current tenancy. This is very important.

Without your full cooperation, your discrimination complaint may be hard to prove. Keep in mind, as the person filing the complaint, the burden of proof is on you.

What will happen if I file a complaint?

The fair housing agency staff will talk with you over the phone or in person to determine if your situation meets the criteria to begin a discrimination investigation. If it does, and you decide to file:

- Agency staff will prepare a complaint for you to sign, then they will send it to the person or company against whom you are filing (the “respondent”). An investigator will be assigned to your case.
- Agency staff will give you and the respondent an opportunity to try to resolve the issues before any formal investigation begins. Depending on the nature of the case, a resolution may include compensation and other remedies.
- If either side does not agree to a resolution, the investigator will begin a formal investigation, serving as a neutral fact-finder. The investigator will gather information from both sides to determine if discrimination occurred.
- The evidence the investigator gathers may include interviews with you, the respondents, witnesses and other involved parties. The investigator may request documents such as lease agreements, correspondence, notices and applications. This information will serve as the basis for the agency’s finding (or ruling) on the case.
- If agency staff makes a determination that discrimination did not occur, you may appeal the decision through the agency’s appeal process.
- If agency staff finds that discrimination occurred, they will attempt to negotiate a resolution of the complaint intended to correct or compensate for the unlawful action.
- If a resolution is not reached, each agency takes further legal action and will notify the parties about the process.

What happens if I win my case?

“Winning” your case means that a fair housing agency, administrative judge or a court determined that you were discriminated against, or you participated in a resolution agreement that was acceptable to you and the landlord.

Resolved cases or resolution agreements usually include actions or compensation called “remedies” such as:

- Getting the apartment or home that was unlawfully denied
- An order that rental amounts, housing-related services, and rules be equally and lawfully applied
- Monetary compensation for pain and suffering
- Reimbursement of out-of-pocket or actual expenses
- Mandatory fair housing training for managers, landlords or other responsible parties
- An order that all unlawful treatment (such as harassment, retaliation and discriminatory action) be halted and/or corrected.



Why go to the government for help?

If you come to a fair housing agency:

- You can discuss your situation in complete privacy with knowledgeable staff. What you say will be kept confidential.
- There is no obligation to file a discrimination complaint once you have contacted an agency. You can change your mind at any time.
- If you are about to be evicted or were denied housing for discriminatory reasons, fair housing agencies have the authority to prevent these actions in certain circumstances. Contact us immediately if this happens to you!
- If an investigation is necessary, fair housing agencies have the authority to gather documents and other evidence that may not be available to you. Such evidence could be helpful in proving your claim of discrimination.
- Complaints of housing discrimination are usually resolved within three to four months, and in many cases resolved earlier without any formal investigation.
- Our information, referral and enforcement services are completely free of charge. We provide free foreign language and sign language interpretation if needed, as well as accommodations for people with disabilities.



Rental Applications and Interviews

Can a landlord ask about my nationality, my disability or my marital status in an interview?

With some exceptions, a landlord should not inquire verbally or in writing about any of the protected class groups listed on page 3. Remember, housing providers must treat all applicants alike, with no preferences based on race, age, sexual orientation, etc. If you believe you were asked inappropriate questions, consider calling your local fair housing agency for assistance.

A manager told me over the phone that apartments were available, but when I showed up in person he said they were all taken. Could this be discrimination?

Yes, it could be. A common discriminatory act is for a landlord to claim that a unit has been rented when it is still available. Too often this affects immigrants, people of color, families with children, and people with disabilities. It is also illegal for a landlord to give different information about vacancy dates, move-in costs or waiting lists based on a home seeker's sex, religion, race, etc.

My friend and I both applied for an apartment in the same building, but the landlord ran a credit check on me and not her. Could this be because I have kids and she doesn't?

It could be, but without an investigation it is difficult to know for sure. It's illegal for a landlord to use different screening policies based on a person's protected class, including the presence of children under 18 in your family. If fair housing agency staff determines you were treated unfairly for this reason, the landlord's action would be considered discriminatory.

Credit Checks, Deposits, Rental Policies

What if the landlord wants to do a credit check and I don't have a credit history in the United States?

A landlord may request a credit check if she does so for all applicants. However, it may be discriminatory to deny housing solely because of a person's lack of credit history, if the applicant can show that he has no credit rating due to his protected class. Even policies that are applied equally to all applicants can sometimes have a discriminatory impact on certain groups. Your local fair housing agency staff can determine if this applies to your situation.

Can a landlord charge a higher deposit because a tenant has children or has a disability?

No. A landlord would be breaking the law to charge a higher deposit to a person simply because she is a member of a protected class. Landlords cannot charge higher deposits to families with children or a person who uses a wheelchair, for example, just because they believe these tenants may cause more damage. A landlord also may not charge a pet deposit to people with disabilities who use service animals.

My landlord applies rules to some tenants but not others. Is that legal?

It is illegal for rules to be enforced only for certain groups, such as people of color, single mothers or Section 8 voucher holders. For example, a landlord is breaking the law if he allows white tenants to pay their rent late, while non-white tenants are issued eviction notices for the same violation.

Home Buying and Home Loans

I want to buy a home but I am not familiar with my fair housing rights. What illegal real estate practices should I be aware of?

It is illegal for real estate agents, mortgage brokers, sellers, lenders or other real estate industry professionals to take certain actions based on race, sex, national origin or other “protected” characteristics. These actions include:

- Owners refusing to sell or negotiate the sale of housing, or falsely denying that housing is available
- Lenders refusing to make mortgage loans or provide information about the availability of loans
- Real estate agents “steering” clients of a particular race to certain neighborhoods.

I'm African American and my credit and income are good, but my bank denied a home loan and said I should look at subprime loans. What can I do?

It is illegal for lenders to deny loans for discriminatory reasons. If you believe you were discriminated against, contact your local fair housing agency. Investigations involving loans can be complicated, so document your claim as thoroughly as possible. See page 10 for other tips.

What is a predatory loan and how can I avoid one?

A predatory loan is a dishonest loan that harms borrowers by making it difficult or impossible to keep up with payments. To avoid becoming a victim, take a free home buyer class; fix your credit before you apply for a loan; shop around and compare loan rates and fees; be sure to get all quotes in writing; and have someone you trust review your documents before you sign them. Contact your local fair housing agency for resources.

Limited-English Speakers

I don't speak English well and some landlords refuse to talk with me when I try to apply. Is this discrimination?

Probably. A landlord cannot turn away an applicant simply because of a strong accent or because communication with a limited-English speaker presents an extra challenge. This violates laws protecting people on the basis of “national origin.” Landlords and managers must make every reasonable effort to communicate. However, landlords have the right to do business in English and are not required to translate applications, lease agreements, etc.

Is a landlord required to hire an interpreter to help me through an interview and application process?

If you need an interpreter, you will probably have to arrange and pay for the service yourself, or you might try getting a friend to help. If a landlord won't let you bring someone who speaks English with you to read through your lease before signing, it could be an act of discrimination. Call your local fair housing agency.

My landlord is evicting me because I broke the rules, but I speak very little English and didn't know I was doing anything wrong. What can I do?

As a tenant, it is your responsibility to follow the rules regardless of your language ability. However, a landlord must give you written notice that you have broken the rules, along with the opportunity to comply before you are evicted. If you understand little English, you should seek help from someone who can interpret official documents you receive or are asked to sign. These might include leases, notices to vacate or court orders regarding eviction.

Discrimination Based on National Origin

Immigrants in my building are treated worse than the other tenants. The landlord won't do repairs when we need them. What can be done?

If your landlord denies service because of your national origin, your language or because you are an immigrant, he is breaking the law. Your local fair housing agency can investigate your case. Make sure you file a complaint within the time period for your local agency. Your local agency can also give you specific information about your rights.

Can a landlord ask about my immigration status in an interview? What about my Social Security number?

A private landlord is not allowed to ask you any question that requires you to reveal your national origin or ancestry. Your immigration status is not pertinent rental information, and should not be used to make discriminatory selection decisions. Call your local fair housing agency to see if the landlord's actions warrant a closer look.

Most landlords use Social Security numbers to run a credit check and that is allowed under fair housing laws as long as the landlord asks all applicants to provide a Social Security number. Landlords need information that shows you can pay the rent and follow the tenant rules. If you don't have a Social Security number, you may want to ask what alternate documents the landlord will accept that show you would be a good tenant. For additional information, contact your local fair housing agency.

I'm not a citizen and I don't have all my immigration papers. Can I still file a complaint of discrimination?

We serve all people who need our services. Fair housing agencies will not ask you, nor do they need to know about your immigration or citizenship status in order for you to file a complaint.

Families with Children

A landlord told me that only adults can live in her building. Is this legal?

"Adults only" apartments that specifically exclude children under 18 are illegal. However, some age-restricted housing is permissible under very limited conditions. A building can legally exclude families with children under 18 or all people under 55 or 62 years of age (depending on the program), if it meets strict federal guidelines to qualify as "housing for older persons."

What if a landlord won't rent upper-floor units to families because of noise or safety concerns?

This is considered segregation in housing, and it's illegal. An



apartment manager may not restrict the placement of tenants based on their "familial or parental status." They cannot legally act on the assumption that tenants with children will be noisier, cause more damage or be less safe than others.

A landlord said I have too many children to live in his building. Can I be turned down for this reason?

This is legal only if your family's tenancy would violate your local fair housing agency's occupancy guidelines. Managers cannot set arbitrary or unreasonable occupancy limits. Rules such as "one child per bedroom" or "no children of opposite sexes in the same room" also are not permissible. If you have been told that you have too many children for a dwelling, contact your local fair housing agency immediately to discuss the situation.

People with Disabilities

I use a wheelchair. When I apply for housing, my application is often turned down. What can I do?

Discrimination against people with disabilities takes many forms. Some landlords simply refuse to rent to applicants with disabilities. Others charge extra fees to tenants who use wheelchairs or have service animals. Still others will not allow tenants with disabilities to make accessibility modifications. All of these actions are prohibited under the law. Contact your local fair housing agency.

Is my landlord supposed to pay for accessibility improvements in my apartment?

No. Generally, you are responsible for the costs of accessibility improvements unless the property receives federal funds. By law, your landlord must allow you to make reasonable alterations or additions to your unit if these changes are needed to improve accessibility.

What does the law say about service animals?

“No pets” policies must be waived for people with physical, sensory or mental disabilities who require the use of service or companion animals. You may have to provide documentation from your treatment provider. The landlord should not charge you a pet deposit. Contact your local fair housing agency for a copy of our Service Animal Policy.

If I need an accommodation, what should I do?

We recommend that you put any requests to your landlord in writing and keep a copy. You do not need to reveal the nature of your disability (only that you have one), but you do need to describe the kind of accommodation you need. Contact your local fair housing agency for a copy of our Reasonable Accommodations Policy with information and sample letters.

Sex Discrimination & Sexual Harassment

Is sexual harassment the same as sex discrimination?

No. Sex discrimination doesn't necessarily involve someone making unwanted sexual advances or remarks. It does involve people being treated differently from others simply because of their sex. For example, sex discrimination might involve a woman trying to rent a house who is turned down because the owner “wants a man around to do repairs.”

My landlord makes offensive sexual remarks to me and keeps asking for sexual favors. Am I protected?

Yes. Sexual harassment is a form of sex discrimination. It can include unwanted sexual attention such as touching, advances, or unwelcome requests for sexual favors. It is illegal for your landlord to withhold services, threaten eviction, or otherwise coerce you into going along with these requests. Sexual harassment can also come from other tenants. A landlord is liable if he knows about this harassment but fails to take appropriate action.

What can I do if I am being sexually harassed?

- Say “No” clearly. Tell your harasser to stop.
- Write down exactly what was said and done, noting the date, time and place.
- Get support from friends and family so you do not feel alone.
- If the harasser is another tenant or a staff member, request that the manager take steps to resolve the problem. If the manager is the harasser, contact the property owner. Put all contact efforts in writing and keep copies for yourself.
- Remember that fair housing agency staff is available to talk with you about your situation. You have the right to file a complaint.

Contact your local fair housing agency for a copy of our Tenant on Tenant Harassment Policy.

Sexual Orientation

My partner and I are gay. We tried to rent a one-bedroom apartment, but the manager insisted that we take a two-bedroom unit. Is this legal?

No. It is illegal for a manager to limit your choice of available units based on your protected class. You should contact your local fair housing agency and discuss filing a complaint based on sex, marital status or sexual orientation.

I live in an apartment complex in Seattle. One of my neighbors harasses me because I am a lesbian. My landlord won't do anything about it. What can I do?

If you tell your landlord about the problem, he is legally obligated to take appropriate action. This may include conducting an investigation of his own, and if needed, working with those involved to end the harassment. If the landlord fails to take any action, he may be liable in a discrimination complaint.



Remember, sexual orientation is a protected class in Seattle, unincorporated King County and Tacoma. In Spokane, contact the Northwest Fair Housing Alliance. See page 24 for contact information.

Section 8 Housing Choice Vouchers

I applied for an apartment and the manager said he doesn't accept Section 8 tenants. Is this legal?

Not in some areas. Participants in the Section 8 Housing Choice Voucher program are protected from discrimination in Seattle, unincorporated King County, and Bellevue. In these areas, a landlord cannot reject applicants simply because they use a Section 8 voucher.

What should I do if I was turned down because I receive Section 8 assistance?

If this happened in Seattle, contact the Seattle Office for Civil Rights; in unincorporated King County, call the King County Office of Civil Rights. Agency contact information is on page 24. If you were turned away because of Section 8 in the City of Bellevue, contact Code Compliance, Department of Planning & Community Development, 425-452-4570. Also, let the housing authority that issued your voucher know what happened, and they can try to work with the landlord to correct the problem.

I have a Section 8 voucher, but landlords keep telling me that I don't meet minimum income requirements. What can I do?



Call your local fair housing agency. Many landlords require tenants to have an income equal to three times the amount of monthly rent. They should use only your portion of the rent to make that calculation.

Where can I go for help?

The Fair Housing Partners of Washington State!

Seattle Office for Civil Rights

Enforces anti-discrimination laws within the city limits of Seattle.
206-684-4500 or TTY 206-684-4503
www.seattle.gov/civilrights

King County Office of Civil Rights

Enforces anti-discrimination laws within unincorporated
King County.
206-296-7592 or TTY 206-296-7596
www.metrokc.gov/dias/ocre

Washington State Human Rights Commission

Enforces anti-discrimination laws throughout Washington.
800-233-3247 or TTY 800-300-7525
www.hum.wa.gov

Tacoma Human Rights and Human Services Department

Enforces anti-discrimination laws within the city limits of Tacoma.
253-591-5151 or TTY 253-591-5153
www.cityoftacoma.org/humanrights

Fair Housing Center of Washington

Advocates for renters and home buyers in western Washington.
253-274-9523 or 888-766-8800 or TTY 711
www.fhcwashington.org

Northwest Fair Housing Alliance

Advocates for renters and home buyers in eastern Washington.
509-325-2665 or TTY 711
or 800-200-FAIR (3247) in 509 area code
www.nwfairhouse.org